

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST, *et al.*,
on behalf of themselves and all those similarly
situated

Plaintiffs,

No. 1:18-cv-719

v.

CITY OF BUFFALO, *et al.* ;

Defendants.

UNOPPOSED MOTION FOR ISSUANCE OF SECOND UPDATING
SUBPOENA TO NEW YORK STATE DEPARTMENT OF MOTOR
VEHICLES

Upon the accompanying Declaration of Edward P. Krugman, Plaintiffs hereby move **UN-
OPPOSED** for an order approving the issuance of a subpoena *duces tecum* to the New York State Department of Motor Vehicles (“DMV”) in the form annexed hereto as Exhibit B. A proposed form of Order is annexed as Exhibit A. This motion seeks updated driver-address information of the type sought and obtained in ECF ##122, 143 (the “Prior Motions”). As the Court is aware from the Prior Motions, the DMV requires prior judicial approval before it will honor a subpoena for the type of information sought herein.

The Prior Motions sought the addresses of all New York-licensed drivers who were issued traffic tickets by the Buffalo Police Department in the period January 1, 2012 to June 30, 2022. Plaintiffs have now obtained ticket information for the period July 1, 2022 to December 31, 2022, and this motion seeks the addresses of the New York-licensed drivers who were issued tickets by the BPD in that later timeframe, as well as well as the addresses of certain ticketed drivers whose license numbers were inadvertently omitted from the previous subpoenas.

WHEREFORE, Plaintiffs respectfully request entry of the Order annexed hereto as Exhibit A,
directing issuance of the subpoena annexed hereto as Exhibit B.

/s/ Keisha A. Williams

Joseph Keleman
Keisha Williams
WESTERN NEW YORK LAW CENTER
Cathedral Park Tower
37 Franklin Street, Suite 210
Buffalo, NY 14202
Tel: (716) 828-8415
Fax: (716) 270-4005
jkeleman@wnylc.com
kwilliams@wnylc.com

/s/ Chinyere Ezie

Chinyere Ezie
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, NY 10012
212-614-6475
CEzie@ccrjustice.org

/s/ Claudia Wilner

Claudia Wilner
Anjana Malhotra
Edward Krugman
NATIONAL CENTER FOR LAW
AND ECONOMIC JUSTICE
50 Broadway, Suite 1500
New York, NY 10004-3821
212-633-6967
wilner@nclej.org
malhotra@nclej.org
krugman@nclej.org

/s/ Jordan S. Joachim

Philip Irwin
Jordan Joachim
Conrad Scott
COVINGTON & BURLING LLP
620 Eighth Avenue
New York, NY 10018
212-841-1000
pirwin@cov.com
jjoachim@cov.com
cscott@cov.com

Dated: May 11, 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2023, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Western District's Local Rules, and/or the Western District's Case Filing Rules & Instructions upon all counsel registered through the ECF System.

/s/ Edward P. Krugman